

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

MACHELLE COLLINS,
Plaintiff,

Case No. 1:18-cv-268
Black, J.
Litkovitz, M.J.

vs.

COMMISSIONER OF
SOCIAL SECURITY,
Defendant.

**REPORT AND
RECOMMENDATION**

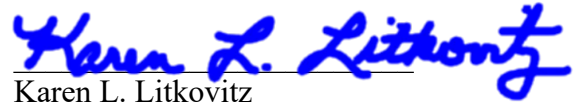
This matter is before the Court on plaintiff's motion "for my SSDI case to move forward." (Doc. 37). This is the third such motion filed by plaintiff to reopen her case. (See Docs. 31, 32). The history of this case and the reasons for recommending the denial of plaintiff's motions to reopen are set forth in the undersigned's Reports and Recommendation of October 19, 2021. (Doc. 33). For these same reasons, plaintiff's instant motion "for my SSDI case to move forward" should be denied.

IT IS THEREFORE RECOMMENDED THAT:

1. Plaintiff's motion "for my SSDI case to move forward" (Doc. 37) be **DENIED**.
2. The Court certify pursuant to 28 U.S.C. § 1915(a) that for the foregoing reasons an appeal of any Order adopting this Report and Recommendation would not be taken in good faith and therefore deny plaintiff leave to appeal *in forma pauperis*. Plaintiff remains free to apply to proceed *in forma pauperis* in the Court of Appeals. See *Callihan v. Schneider*, 178 F.3d 800, 803 (6th Cir. 1999), overruling in part *Floyd v. United States Postal Serv.*, 105 F.3d 274, 277 (6th Cir. 1997).
3. If the Report and Recommendation is adopted, plaintiff should be advised that if she wishes to obtain review of this Court's Order, she must pursue an appeal to the United States Court of Appeals for the Sixth Circuit and not file any further post-judgment motions or

documents with this Court.

Date: 12/23/2022



Karen L. Litkovitz
Chief United States Magistrate Judge

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NOTICE

Pursuant to Fed. R. Civ. P. 72(b), any party may serve and file specific, written objections to this Report & Recommendation (“R&R”) within **FOURTEEN (14) DAYS** after being served with a copy thereof. That period may be extended further by the Court on timely motion by either side for an extension of time. All objections shall specify the portion(s) of the R&R objected to, and shall be accompanied by a memorandum of law in support of the objections. A party shall respond to an opponent’s objections within **FOURTEEN DAYS** after being served with a copy of those objections. Failure to make objections in accordance with this procedure may forfeit rights on appeal. *See Thomas v. Arn*, 474 U.S. 140 (1985); *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981).